



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 2, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

10:00 A.M. Presentation of Awards to Honor Roll Students from Bullard Talent - Acting President Mathys and Councilmember Perea

11:30 A.M. **CONTINUED HEARING** to consider approval of Behymer-Chestnut No. 3B Reorganization for the detachment of 4.6 acres from the Fresno County Fire Protection District and Kings River Conservation District and annexation of the same territory to the City of Fresno (**CONTINUE TO 3:30 P.M.**)

1. * **RESOLUTION** - Approving the Behymer-Chestnut No. 3B Reorganization
Action Taken:

1:00 P.M. **Council Roll Call - (Formal Meeting Begins)**

Invocation

Pledge of Allegiance to the Flag

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Proclamation of "HEIDI PINNICK DAY" - Councilmember Boyajian

Proclamation of "LARRY SHEHADEY DAY" - Recipient of the Peters Award - Councilmember Ronquillo

Proclamation of "MENTAL RETARDATION AWARENESS MONTH"

Proclamation of "RED CROSS MONTH"

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of February 23, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

1:30 P.M. Presentation by Ed Graveline and the California Trolley and Railroad Corporation concerning the restoration and transfer of ownership of the Roeding Park Locomotive - Council President Steitz

Action Taken:

a. Discussion and direction to staff to transfer ownership of Roeding Park Locomotive

Action Taken:

2:30 P.M. Bills amending the Fresno Municipal Code relating to exposure of tobacco products to minors
a * BILL (for introduction) - Amending Section 8-125 of the Fresno Municipal Code relating to exposure of tobacco products to minors - Councilmember Perea

(Exempting retail tobacco stores) (Alternative 1)

Action Taken:

b. * BILL (for introduction) - Amending Section 8-125 of the Fresno Municipal Code relating to exposure of tobacco products to minors - Councilmembers Perea and Bredefeld

(Exempting cigar and pipe tobacco stores) (Alternative 2)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

3:00 P.M. Presentation and report by Fresno Police Chief Ed Winchester regarding the current procedures in place to deal with domestic violence, and identify ways to assist in efforts to reduce the occurrences of domestic violence in our community. Request that presentation and report include additional resources needed from the City Council to deal effectively with this serious problem - Councilmember Bredefeld

Action Taken:

3:30 P.M.(#1) CONTINUED HEARING to consider approval of Behymer-Chestnut No. 3B Reorganization for the detachment of 4.6 acres from the Fresno County Fire Protection District and Kings River Conservation District and annexation of the same territory to the City of Fresno

Action Taken:

1. * **RESOLUTION** - Approving the Behymer-Chestnut No. 3B Reorganization

Action Taken:

3:30 P.M.(#2) DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

4:00 P.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of February 23, 1999

Action Taken:

AGENCY GENERAL CONSENT CALENDAR

- A.** Consider matters relating to the proposed mixed-use multiplex theater project located at the southern end of the uptown district and the northern end of the Central Business District Redevelopment Plan Area (*Council and Agency action*)

Action Taken:

1. Authorize the Redevelopment Agency to negotiate with Center Oak Properties/Wedin Enterprises/AMC Theaters to develop the terms and conditions of the Disposition and Development Agreement (DD&A) and return to the Agency/Council for direction within approximately sixty (60) days

(*Council and Agency action*)

Action Taken:

2. Authorize the Redevelopment Agency to work with the Housing Authority and the City in regards to their level of participation for the property identified at this site for inclusion in the project (*Council and Agency action*)

Action Taken:

3. Direct the Executive Director to include the City Manager, or his designee, in the negotiation process (*Council and Agency action*)

Action Taken:

- B.** Consider adoption of acceptable terms and conditions for City and Agency participation in the development of a hotel/expanded exhibit hall on the Ophelia property at Inyo and "M" Streets (*Council and Agency action*)

Action Taken:

ADJOURN AGENCY

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

5:30 P.M. Discussion related to the proposed commuter bike trail along the former Southern Pacific Railroad right-of-way between E. Shepherd Avenue and E. Nees Avenue - Councilmember Bredefeld
Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- 1. RESOLUTION** - Approving Fund Transfer Agreement No. 75A0045 for \$5,357,911 with CalTrans for capital support of the new Fresno Intercity Rail Station, and approving the plans and specifications for construction of the Fresno Intercity Rail Station
Action Taken:
- 2. * RESOLUTION** - 13th amendment to PAR No. 98-160 adding and deleting certain positions to Parks, Recreation and Community Services Department
Action Taken:
- 3.** Approve Lease Amendment No. 1 to the Lease and Concession Agreement between the City of Fresno and Leola Clark, dba Air Terminal Gift Shop
Action Taken:
- 4.** Consider Site Plan Review Application No. S-99-028, filed by Richard Aaron, for property located at 7691 N. Kincaid Avenue as related to proposed building setback adjacent to San Joaquin River bluff edge
Action Taken:
 - a. RESOLUTION** - Approving a reduced building setback from the San Joaquin River bluff edge proposed by Site Plan Review Application No. S-98-028
Action Taken:
- 5. RESOLUTION** - Of intention to annex Final Map of Tract Nos. 4431, 4514, 4826 and 4879 as Annexation No. 11 to the City of Fresno Community Facilities District No. 2 and to authorize the levy of special taxes
Action Taken:
- 6.** Consideration of alignments and widths of proposed public streets for an industrial development proposed by Thomas Bernard on the westerly side of Golden State Boulevard between E. Church and E. Jensen Avenues
Action Taken:
- 7.** Approve the re-application for a National Pollutant Discharge Elimination System Permit
Action Taken:

1A. GENERAL CONSENT CALENDAR ITEMS CONTINUED

- 8. * RESOLUTION** - 10th amendment to Salary Resolution No. 98-161 allowing holiday leave hours to be

**** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

cashed out under unforeseeable emergency circumstances

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Status report from staff regarding foreclosure action against Fresno Pacific Towers, Inc. (Security Bank Building) (*Item to be discussed after closed session*)

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Approve agreement with Fresno Metropolitan Flood Control District for construction of storm water pump at Cedar and Holland Avenues - Council President Steitz

Action Taken:

- B. * **RESOLUTION** - 73rd amendment to AAR No. 98-159 appropriating \$300 from District 6's general infrastructure capital budget to fund the Hoover High School Patriot Marching Band - Councilmember Bredefeld (*Requires 5 affirmative votes*)

Action Taken:

- C. Proposed reappointment of Dr. Robert Segura and appointment of Keith Kelley to the Human Relations Commission; and appointment of Alan D. Meindersee to the West Area Community Plan - Councilmember Boyajian (*For introduction*)

Action Taken:

- D. Status report on the Comprehensive Bicycle Transportation Plan and approximate completion date - Acting President Mathys

Action Taken:

- E. Direction to staff concerning the March 27, 1997, Construction Loan Agreement for the Infill Housing Development Program between the City of Fresno and Nick DeBear, Inc., on property located at Church and Chestnut, and the subsequent proposal of December 15, 1998 - Council President Steitz

Action Taken:

5. **CITY COUNCIL ITEMS CONTINUED**

- F. Nominations and election of Council representative to the Association for the Beautification of Highway 99 Membership Coalition - Council President Steitz

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Action Taken:

- G. Nomination and election of private sector representative to the Association for the Beautification of Highway 99 Membership Coalition - Council President Steitz

Action Taken:

- H. Direct City Manager to conduct an assessment of current code enforcement activities and provide a staff report to Council for purposes of increasing Code Enforcement staffing in the FY 1999-2000 budget. (Councilmembers Perea and Boyajian) Report to include, but not limited to:

1. complete listing of ordinances enforced by Code Enforcement
2. current staffing and caseload patterns
3. average response time to initial complaints and follow-up
4. number of support staff assigned to assist Code Enforcement Officers; and
5. number of current active cases by district

Action Taken:

- I. Direct City Manager to provide status report on Y2K conversion of all City systems - Councilmember Perea

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **CLOSED SESSION OF THE CITY COUNCIL**

A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**

Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** A.H.D.C., (Wellington) v. City of Fresno

Action Taken:

B. **CONFERENCE WITH LABOR NEGOTIATOR -** Government Code Section 54957.6
(Councilmember Perea)

City Negotiator(s): Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza

Employee Organization(s): CFPEA

Action Taken:

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

C. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -** Government Code Section 54956.9, Subdivision (b) - **Significant Exposure to Litigation**

1. **Case Name:** City of Fresno and the Redevelopment Agency v. Fresno Pacific Towers, Inc.

Action Taken:

8. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

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SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 9 - 10:00 A.M.	WORKSHOP on UGM boundary
Mar. 9 - 12:00 NOON	JOINT MEETING with Fresno Metropolitan Flood Control District (<i>FMFCD</i>) (<i>Meeting Room “A”</i>)
Mar. 16 - 10:00 A.M.	HEARING relating to week abatement process for FY 99
Mar. 16 - 10:30 A.M.	HEARING to consider Plan Amendment No. A-98-24, filed by Central Pacific Investment Corp.
Mar 16 - 11:00 A.M.	HEARING re: Rezone Appl. No. R-99-02, filed by James Logan representing Land Dynamics
Mar. 16 - 2:00 P.M.	Workshop on Redevelopment
Mar. 19 - 9:00 A.M.	JOINT MEETING with City of Clovis and Fresno County Board of Supervisors (<i>Convention Center Wine Room</i>)
Mar. 23 - 10:00 A.M.	Consider appeal of Environmental Assessment and introduction of Text Amendment No.TA- 98-03relating to car washes
Mar. 23 - 10:30 A.M.	HEARING on P.A. Appl. No. A-98-25, amending the Tower District Specific Plan and Fresno High Roeding Community Plan
Mar. 23 - 11:00 A.M.	HEARING on cancellation of agricultural land conservation contract
Mar. 30 - NO MEETING - CANCELED	
Apr. 6 - 10:00 A.M.	Adopt Text Amendment No.TA- 98-03 relating to car washes
Apr. 6 - 11:30 A.M.	HEARING re: Community Facilities District No. 2, Annexation 11
<u>(Apr. 13 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)</u>	
Apr. 13 - 5:30 P.M.	Review of the Fresno Chandler Downtown Airport Master and Environs Specific Plan
<u>(May 25 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)</u>	
May 25 - 5:00 P.M.	CONTINUED HEARING on Text Amendment No. TA-97-09 relating to advertised structures (billboards)
June 1 - NO MEETING - MEMORIAL DAY HOLIDAY	
July 6 - NO MEETING - COUNCIL VACATION	
July 13 - NO MEETING - COUNCIL VACATION	

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